

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA
ERIE DIVISION

CHARLES WAYNE POU,)	
)	
Petitioner)	Case No. 1:19-cv-00346
)	
vs.)	
)	RICHARD A. LANZILLO
SUPERINTENDENT SCI FOREST,)	UNITED STATES MAGISTRATE JUDGE
ATTORNEY GENERAL OF)	
THE STATE OF PENNSYLVANIA, and)	
DISTRICT ATTORNEY OF ERIE)	ORDER ON PETITION FOR WRIT OF
COUNTY,)	HABEAS CORPUS [ECF No. 3]
)	
Respondents)	

ORDER

AND NOW, this 29th day of November, 2021, for the reasons set forth in the Memorandum Opinion filed contemporaneously herewith, IT IS HEREBY ORDERED that:

- (1) Charles Wayne Pou's request for habeas relief is GRANTED;
- (2) The execution of the writ of habeas corpus is STAYED for 180 days from the date of this Order, within which time the Commonwealth of Pennsylvania must commence a new trial;
- (3) If the Commonwealth does not commence a new trial within 180 days, the writ shall issue and the Superintendent Respondent shall release Pou from custody on the judgment of sentence imposed by the Court of Common Pleas of Erie County at CP-25-CR-00002742-2013.


RICHARD A. LANZILLO
United States Magistrate Judge